

### **REMARKS**

Reconsideration of the above referenced application in view of the enclosed amendments and remarks is requested. Claims 1, 13, 26, and 30 have been amended. Claims 4-5, 16-17, 22-25, 28, and 32 have been cancelled. Claims 1-3, 6-15, 18-21, 26-27, 29-31, and 33 remain in the application.

### **ARGUMENT**

Claims 1-3, 6-15, 18-21, 26, 30, and 33 are rejected under 35 USC 102(e) as being anticipated by Omoigui (2005/0086688).

Independent claims 1, 13, 26, and 30 have been amended to more particularly recite the present invention. In independent claims 1 and 13, a limitation has been added to the claims to distinguish the present invention from the cited prior art. In particular, the claims now recite that the notification of the event is transmitted over a third channel. This third channel is different than the first and second channels carrying the first and second programs, respectively. In independent claims 26 and 30, a limitation has been added to recite that the televisions programs are being received over a first set of channels, and the event notifications are being received over a selected specialized channel not in the first set of channels. Support for these amendments may be found at page 10, lines 5-11 and page 14, lines 31-33.

Omoigui does not teach or suggest that the event notifications are transmitted to the viewer device over a third channel (i.e., a channel other than one being used to communicate currently broadcast TV programs). Omoigui does not teach or suggest that such a selected specialized channel may be used to communicate the event notifications. Therefore, independent claims 1, 13, 26, and 30 are allowable as currently presented. Additionally, all claims dependent therefrom are also allowable.

Claims 4, 5, 16, 17, 22-25, 27-29, 31, and 32 are rejected under 35 USC 103(a) as being unpatentable over Omoigui in view of Stettner (2002/0104090).

These claims are all dependent from allowable independent claims 1, 13, 26, and 30. Therefore, they are also allowable.

Additionally, Stettner does not teach or suggest that the event notifications are transmitted to the viewer device over a third channel (i.e., a channel other than one being used to communicate TV programs). Stettner does not teach or suggest that such a selected specialized channel may be used to communicate the event notifications. Furthermore, the combination of Omoigui and Stettner does not overcome this deficiency. Hence, all claims are allowable as currently presented.

### **CONCLUSION**

In view of the foregoing, Claims 1-3, 6-15, 18-21, 26-27, 29-31, and 33 are all in condition for allowance. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (503) 264-8074. Early issuance of Notice of Allowance is respectfully requested.

Respectfully submitted,

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